

Secretary and
auditor of state
to fix price.

auditors, under the direction of the secretary and auditor of state, who shall determine the price, covering the cost to the state, at which they shall be sold to any party: *Provided*, That he shall furnish each of the members of the boards of directors with one copy of the laws bound in paper covers, which shall be turned over to their successors in office.

Shall publish
Amendments of
school laws,
when.

SEC. 2. After such sessions of the general assembly as [if] the state superintendent shall not deem it necessary to publish the laws as provided for in section one of this act, he shall cause to be published in pamphlet form all the amendments to the school laws passed by such general assembly, in sufficient numbers to supply each of the county superintendents and school officers of the state with one copy free of charge, which said amendments shall be sent to the several county superintendents for distribution.

Publication.

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Iowa State Leader, newspapers published in Des Moines, Iowa.

Approved, March 26, 1880..

I hereby certify that the foregoing act was published in the *Iowa State Register*, April 2, and in the *Iowa State Leader*, April 5, 1880.

J. A. T. HULL, *Secretary of State*.

CHAPTER 151

STATE BOARD OF HEALTH AND VITAL STATISTICS.

Sub. S. F. 98.

AN ACT to Establish a State Board of Health in the State of Iowa, to Provide for Collecting Vital Statistics, and to Assign Certain Duties to Local Boards of Health, and to Punish Neglect of Duties.

Be it enacted by the General Assembly of the State of Iowa:

Appointment
of board.

SECTION 1. That the governor, with the approval of the executive council, shall appoint nine (9) persons, one of whom shall be the attorney-general of the state (by virtue of his office), one a civil engineer, and seven (7) physicians, who shall constitute a state board of health. The persons so appointed shall hold their offices for seven (7) years: *Provided*, that the terms of office of the seven physicians first appointed shall be so arranged by lot that the term of one shall expire on the thirty-first (31st) day of January of each year; and the vacancies thus occasioned, as well as all other vacancies otherwise occurring, shall be filled by the governor, with the approval of the executive council.

Terms of office.

Power of board.

SEC. 2. The state board of health shall have the general supervision of the interests of the health and life of the citizens

of the state. They shall have charge of all matters pertaining to quarantine; they shall supervise a state registration of marriages, births and deaths, as hereinafter provided; they shall have authority to make such rules and regulations and such sanitary investigations as they may, from time to time, deem necessary for the preservation or improvement of the public health; and it shall be the duty of all police officers, sheriffs, constables, and all other officers of the state, to enforce such rules and regulations, so far as the efficiency and success of the board may depend upon their official co-operation.

SEC. 3. The clerk of the district and circuit courts of each of the several counties in the state shall be required to keep separate books for the registration of the names and post-office address of physicians and midwives, for births, for marriages, and for deaths, which record shall show the names, date of birth, death or marriage; the names of parents and sex of the child, when a birth, and when a death, shall give the age, sex and cause of death, with the date of the record, and the name of the person furnishing the information. Said books shall always be open for inspection without fee; and the clerks of said courts shall be required to render a full and complete report of all births, marriages and deaths to the secretary of the board of health annually, on the first day of October of each year, and at such other times as the board may direct.

Duties of clerks of courts.

Books shall be open for inspection.

Report.

SEC. 4. It shall be the duty of the board of health to prepare such forms for the record of births, marriages and deaths as they may deem proper; the said forms to be furnished by the secretary of said board to the clerks of the district and circuit courts of the several counties, whose duty it shall be to furnish them to such persons as are herein required to make reports.

Duties of state board.

SEC. 5. It shall be the duty of all physicians and midwives in this state to register their names and post-office address with the clerk of the district and circuit courts of the county where they reside; and said physicians and midwives shall be required, under penalty of ten dollars (\$10), to be recovered in any court of competent jurisdiction in the state at suit of the clerk of the courts, to report to the clerk of the courts, within thirty (30) days from the date of their occurrence, all births and deaths which may come under their supervision, with a certificate of the cause of death, and such other facts as the board may require, in the blank forms furnished, as hereinafter provided.

Duties of physicians and midwives.

Penalty for failure.

SEC. 6. When any birth or death shall take place, no physician or midwife being in attendance, the same shall be reported by the parent to the clerk of the district and circuit courts within thirty (30) days from the date of its occurrence, and if a death, the supposed cause of death, or, if there be no parent, by the nearest of kin not a minor, or, if none, by the resident householder where the birth or death shall have occurred, under penalty provided in the preceding section of this act. Clerks of the district and circuit courts shall annually, on the first day of

Parent to report, when.

Clerks to report to secretary of state board.

October of each year, send to the secretary of the state board of health a statement of all births and deaths recorded in their offices for the year preceding said date, under a penalty of twenty-five dollars (\$25) in case of failure.

Coroners shall report.

SEC. 7. The coroners of the several counties shall report to the clerk of the courts all cases of death which may come under their supervision, with the cause or mode of death, etc., as per form furnished, under penalty as provided in section 5 of this act.

Special fund.

SEC. 8. All amounts recovered under the penalties of this act shall be appropriated to a special fund for carrying out the object of this law.

Meeting and organization of board.

SEC. 9. The first meeting of the board shall be within twenty days after its appointment, and thereafter in May and November of each year, and at such other times as the board shall deem expedient. The November meeting shall be in the city of Des Moines. A majority of the members of the board shall constitute a quorum. They shall choose one of their number to be president, and shall adopt rules and by-laws for their government, subject to the provisions of this act.

Election and salary of secretary.

SEC. 10. They shall elect a secretary, who shall perform the duties prescribed by the board and by this act. He shall receive a salary, which shall be fixed by the board, not exceeding \$1,200 per annum. He shall, with the other members of the board, receive actual traveling and other necessary expenses incurred in the performance of official duties; but no other member of the board shall receive a salary. The president of the board shall quarterly certify the amount due the secretary, and on presentation of said certificate the auditor of state shall draw his warrant on the state treasurer of [for] the amount.

Biennial report to the governor.

SEC. 11. It shall be the duty of the board of health to make a biennial report, through their secretary or otherwise, in writing, to the governor of the state, on or before the first (1st) day of December of each year preceding that in which the general assembly meets; and such report shall include so much of the proceedings of the board, such information concerning vital statistics, such knowledge respecting diseases, and such instruction on the subject of hygiene as may be thought useful by the board, for dissemination among the people, with such suggestions as to legislative action as they may deem necessary.

\$5,000, annually appropriated.

SEC. 12. The sum of five thousand dollars (\$5,000) per annum, or so much thereof as may be necessary, is hereby appropriated to pay the salary of the secretary, meet the contingent expenses of the office of the secretary and the expenses of the board, and all costs of printing, which together shall not exceed the sum hereby appropriated. Said expenses shall be certified and paid in the same manner as the salary of the secretary. The secretary of state shall provide rooms suitable for the meetings of the board and office-room for the secretary of the board.

Secretary of state provide rooms.

SEC. 13. The mayor and aldermen of each incorporated city, the mayor and council of any incorporated town or village in the state, or the trustees of any township, shall have and exercise all the powers and perform all the duties of a board of health within the limits of the cities, towns and townships of which they are officers. Mayors, aldermen, trustees—local boards of health.

SEC. 14. Every local board of health shall appoint a competent physician to the board, who shall be the health officer within its jurisdiction, and shall hold his office during the pleasure of the board. The clerks of the townships and the clerks and recorders of cities and towns shall be clerks of the local boards. The local boards shall also regulate all fees and charges of persons employed by them in the execution of the health laws and of their own regulations. Local boards appoint physician and regulate fees.

SEC. 15. It shall be the duty of the health physician of every incorporated town, and also the clerk of the local board of health in each city or incorporated town or village in the state, at least once a year to report to the state board of health their proceedings, and such other facts required, on blanks and in accordance with instructions received from said state board. They shall also make special reports whenever required to do so by the state board of health. Report of physician and clerk of local boards.

SEC. 16. Local boards of health shall make such regulations respecting nuisances, sources of filth and causes of sickness within their jurisdiction and on board any boats in their ports or harbors as they shall judge necessary for the public health and safety; and if any person shall violate any such regulations, he shall forfeit a sum of not less than twenty-five [dollars] (\$25) for every day during which he knowingly violates or disregards said rules and regulations, to be recovered before any justice of the peace or other court of competent jurisdiction. Regulation respecting nuisances.

SEC. 17. The board of health of any city or incorporated town or village shall order the owner of any property, place or building (at his own expense) to remove any nuisance, source of filth or cause of sickness found on private property, within twenty-four (24) hours, or such other time as is deemed reasonable, after notice served as hereinafter provided; and if the owner or occupant neglects to do so, he shall forfeit a sum not exceeding twenty dollars (\$20) for every day during which he knowingly and willfully permits such nuisance or cause of sickness to remain after the time prescribed for the removal thereof. Penalty for violating regulations.

SEC. 18. If the owner or occupant fails to comply with such order, the board may cause the nuisance, source of filth or cause of sickness to be removed, and all expenses incurred thereby shall be paid by the owner, occupant or other person who caused or permitted the same, if he has had actual notice from the board of health of the existence thereof, to be recovered by civil action in the name of the state before any court having jurisdiction. Duty of local boards.

SEC. 19. The board, when satisfied upon due examination, that any cellar, room, tenement, or building in its town, occupied as a Penalty for refusing to abate nuisance.

Power of local board.

To purify dwellings.

May remove
occupants.

dwelling-place, has become, by reason of the number of occupants, or want of cleanliness, or other cause, unfit for such purpose, and a cause of nuisance or sickness to the occupants or the public, may issue a notice in writing to such occupants, or any of them, requiring the premises to be put in a proper condition as to cleanliness, or, if they see fit, requiring the occupants to remove or quit the premises within such time as the board may deem reasonable. If the persons so notified, or any of them, neglect or refuse to comply with the terms of the notice, the board may cause the premises to be properly cleaned at the expense of the owners, or may remove the occupants forcibly and close up the premises, and the same shall not again be occupied as a dwelling-place without permission in writing of the board.

Can enter place,
building or
vessel to remove
or prevent
nuisance.

SEC. 20. Whenever the board of health shall think it necessary for the preservation of the lives or health of the inhabitants to enter a place, building or vessel in their township, for the purpose of examining into and destroying, removing or preventing any nuisance, source of filth or cause of sickness, and shall be refused such entry, any member of the board may make complaint, under oath, to any justice of the peace of his county, whether such justice be a member of the board or not, stating the facts of the case, so far as he has knowledge thereof. Such justice shall thereupon issue a warrant, directed to the sheriff or any constable of the county, commanding him to take sufficient aid, and, being accompanied by two or more members of said board of health, between the hours of sunrise and sunset, repair to the place where such nuisance, source of filth, or cause of sickness complained of may be, and the same destroy, remove, or prevent, under the direction of such members of the board of health.

Justice shall
issue warrant.

To guard
against small-
pox and other
infectious dis-
eases.

SEC. 21. When any person coming from abroad, or residing within any city, town or township within this state, shall be infected, or shall lately have been infected with small-pox, or other sickness dangerous to the public health, the board of health of the city, town or township where said person may be, shall make effectual provision, in the manner in which they shall judge best, for the safety of the inhabitants, by removing such sick or infected person to a separate house, if it can be done without damage to his health, and by providing nurses and other assistance and supplies, which shall be charged to the person himself, his parents or other person who may be liable for his support, if able; otherwise at the expense of the county to which he belongs.

Shall provide
for infected
persons.

Make provision
for infected
persons, when
cannot be
moved.

SEC. 22. If any infected person cannot be removed without damage to his health, the board of health shall make provision for him, as directed in the preceding section, in the house in which he may be, and in such case they may cause the persons in the neighborhood to be removed, and may take such other measures as may be deemed necessary for the safety of the inhabitants.

SEC. 23. Any justice of the peace, on application under oath showing cause therefor by a local board, or any member thereof, shall issue his warrant under his hand, directed to the sheriff or any constable of the county, requiring him, under the direction of the board of health, to remove any person infected with contagious diseases, or to take possession of condemned houses and lodgings, and to provide nurses and attendants, and other necessities for the care, safety and relief of the sick.

Duties of justices of the peace.

SEC. 24. Local boards of health shall meet for the transaction of business on the first Monday of May and the first Monday in November of each year, and at any other time that the necessities of the health of their respective jurisdictions may demand; and the clerk of each board shall transmit his annual report to the secretary of the state board of health within two weeks after the November meeting. Said report shall embrace a history of any epidemic disease which may have prevailed within his district. The failure of the clerk of the board to prepare, or cause to be prepared, and forward such report as above specified, shall be considered a misdemeanor, for which he shall be subject to a fine of not more than twenty-five dollars (\$25).

Meetings and report of local boards.

SEC. 25. All laws in conflict with this act are hereby repealed.

Repealing clause. Publication.

SEC. 26. This act, being deemed of immediate importance, shall take effect and be in force from and after its passage, and publication in the Iowa State Register and Iowa State Leader, newspapers published at Des Moines, Iowa,

Approved, March 26, 1880.

I hereby certify that the foregoing act was published in the *Iowa State Leader*, April 1, and in the *Iowa State Register*, April 3, 1880.

J. A. T. HULL, *Secretary of State*.

CHAPTER 152.

APPEALS FROM COMMISSIONERS OF INSANITY.

AN ACT Providing for Appeals from the Findings of the Commissioners of Insanity, and to Amend Section 1401 of Chapter 2, Title 11, of the Code.

H. F. 54.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That any person found to be insane by the commissioners of insanity may appeal to the circuit court by giving the clerk of said court notice in writing that he or she appeals from said finding, which notice may be signed by the party, his or her attorney, agent, or guardian.

Any person found insane has right of appeal.